



General Assembly

February Session, 2008

Raised Bill No. 634

LCO No. 2947

02947_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING HIGHWAY WORKER SAFETY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2008*) (a) For the purposes of
2 this section: (1) "Highway worker" means a person who, in the course
3 and scope of his or her employment, performs duties in a highway
4 construction or work zone, and (2) "highway construction or work
5 zone" means an area of a highway with construction, maintenance or
6 utility work activities that is clearly designated as such by signs,
7 channeling devices, barriers, pavement markings or construction or
8 work vehicles.

9 (b) A person commits endangerment of a highway worker when
10 such person while operating a motor vehicle in a highway construction
11 or work zone in which one or more highway workers are present: (1)
12 Exceeds the posted speed limit by fifteen miles per hour or more, (2)
13 passes another motor vehicle, (3) fails to stop when signaled or fails to
14 obey traffic control devices erected in the highway construction or
15 work zone, (4) drives through or around a highway construction or
16 work zone in a lane not designated for use, (5) assaults or attempts or
17 threatens to assault a highway worker with a motor vehicle or other

18 dangerous instrument, (6) intentionally strikes, moves or alters any
19 barrel, barrier, sign or other device erected to control the flow of traffic
20 in the highway construction or work zone, except for the purpose of
21 protecting the safety of such person, any occupant in such motor
22 vehicle, any highway worker or any other person, or (7) commits a
23 violation of section 14-36, 14-215, 14-222, 14-224 or 14-227a of the
24 general statutes, or any felony involving the use of a motor vehicle.
25 Any person found guilty of endangerment of a highway worker shall
26 be fined not more than one thousand dollars. Such fine shall be in
27 addition to any fine or term of imprisonment authorized for the
28 underlying violation.

29 (c) A person commits aggravated endangerment of a highway
30 worker when such person commits endangerment of a highway
31 worker, as provided in subsection (b) of this section, that results in the
32 serious physical injury or death of a highway worker. Any person
33 found guilty of aggravated endangerment of a highway worker shall
34 be fined not more than five thousand dollars if the offense resulted in
35 the serious physical injury of a highway worker and not more than ten
36 thousand dollars if the offense resulted in the death of a highway
37 worker. Such fine shall be in addition to any fine or term of
38 imprisonment authorized for the underlying violation.

39 (d) In any prosecution under subsection (b) or (c) of this section, it
40 shall be an affirmative defense that the act or omission resulted from
41 the mechanical failure of the motor vehicle of such person or the
42 negligence of a highway worker or other person.

43 (e) The Commissioner of Motor Vehicles shall assess four points
44 against the owner of an operator's license who is convicted of a
45 violation of subsection (b) of this section and twelve points against the
46 owner of an operator's license who is convicted of a violation of
47 subsection (c) of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2008</i>	New section
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Statement of Purpose:

To establish the crimes of endangerment of a highway worker and aggravated endangerment of a highway worker.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]